

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of

Telecommunications Relay Services
and Speech-to-Speech Services for
Individuals with Hearing and Speech
Disabilities

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CC Docket No. 98-67

COMMENTS OF THE UNITED STATES TELECOM ASSOCIATION

Pursuant to Sections 1.415 and 1.419 of the Federal Communications Commission's (FCC or Commission) rules, the United States Telecom Association (USTA)¹, through the undersigned, hereby submits its comments on behalf of its local exchange carrier members, in response to the Commission's *Further Notice of Proposed Rulemaking*, released March 6, 2000 in the above-captioned proceeding.² In the Further Notice of Proposed Rulemaking (FNPRM), the Commission raises additional issues for comment regarding the delivery of telecommunications relay services, seeking to better understand the emerging and existing technologies it has not otherwise fully evaluated for inclusion in relay service.³

USTA supports equal access by customers with disabilities to telecommunications products,

¹USTA is the nation's oldest trade organization representing the local exchange carrier industry. USTA represents over 800 domestic telecommunications companies that provide a full array of voice, data and video services over wireline and wireless networks.

²See *in re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Report and Order and Further Notice of Proposed Rulemaking*, CC Docket No. 98-67 (adopted, Feb. 17, 2000; released, Mar. 6, 2000)(FNPRM).

³See FNPRM at ¶125.

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services and equipment. Therefore, as the Association representing the bulk of the Nation's local exchange carrier (LEC) industry, it is important that USTA share its perspective on a number of the considerations raised by the Commission in this FNPRM. Specifically, USTA will address the following two issues raised in the *FNPRM*: (1) whether there should be established a separate nationwide access number for Speech-to-Speech (STS) relay service;⁴ and (2) whether access to Signaling System 7 (SS7) will resolve certain problems some consumers may have experienced in using Caller ID service on relay calls.⁵

I. DISCUSSION

USTA believes the technological considerations ensconced in the issues raised in this matter are highly complex and warrant a comprehensive and coordinated review. In order for the Commission to produce a credible record in which to base an informed decision, the Commission must first understand where the telecommunications industry has been relative to 1-800 number access and SS7 deployment in order to understand where the industry can go in order to possibly achieve the Commission's objectives. The Commission needs to appreciate that there are some fundamental matters which must be explored with respect to the Commission's considerations addressing 800 number access and SS7 data and networks in this proceeding. USTA's comments endeavor to bring to the attention of the Commission critical considerations that must necessarily be factored into the Commission's decision-making process in this proceeding.

⁴See *FNPRM* at ¶126.

⁵See *FNPRM* at ¶129.

A. Establishing a 1-800 Access Service for National STS Purposes Entails Database Provisioning By A Single Carrier.

The FNPRM ask for comment on whether a separate nationwide access number for STS relay service is desirable.⁶ The Commission established a national competitive structure for 800 (toll free) service in CC Docket No. 86-10.⁷ When a customer is issued an 800 number, it is done by a Responsible Organization (RespOrgs),⁸ representing a single carrier. The customer can direct use of multiple carriers in different areas or circumstances, but one carrier must be the primary service provider. Thus, if a national 800 access service for TRS is established, it may be necessary to select a single carrier to input all of the information into the national database in order that the intended local center can be accessed when a person places a call that requires the assistance available at the STS center. Whichever carrier handles the call will require compensation for any toll charges that accrue; and the carriers will settle accounts as they would for any 800 call. The customer of the 800 provider will be billed toll charges by the service provider according to the terms of the service agreement.

In order to accomplish this, conditions must be established by which the responsible carrier will accept information to make all changes to the master record in the 800 database. If there is one

⁶*Id.* at ¶126.

⁷See e.g., *in re Provision of Access for 800 Service*, Report and Order, in CC Docket No. 6-10, RM-5101 (adopted, Mar. 30, 1989; released, Apr. 21, 1989), 4 FCC Rcd. No. 8 at 2824; and, Memorandum Opinion and Order on Reconsideration and Second Supplemental Notice of Proposed Rulemaking, in CC Docket No. 86-10, FCC 91-249 38219(adopted, Aug. 1, 1991; released, Sept. 4, 1991).

⁸See e.g., *in re Toll Free Service Access Codes*, Report and Order, CC Docket No. 95-155 (adopted and released on Jan. 25, 1996).

national number, and the STS centers are operated by the states, the individual states (or other regulatory bodies) will need to compensate the national carrier for their pro rata portion of the work required. Methods for determining the authority for receipt of instructions for modifications to the master records must be worked out. In any event, the national carrier will need to know what specific entities are authorized, and this will likely result in increased charges from the national carrier because of the additional resulting complexity.

USTA cautions that in order to reach a decision in the affirmative concerning implementation of a national toll free STS number, the issues that will require answers must be identified and resolved before such a structure can even be considered as workable, let alone implemented. USTA believes that carriers should have an opportunity to come together and address the issues that will require resolution, and agree on the process by which a single national carrier could be selected from among multiple candidates that might want to compete for the right to provide such a service. This assumes, of course, that the 800 approach is workable at all.

B. Availability of SS7 to TRS Centers, as a Practical Matter.

The FNPRM at ¶¶127-135 seeks comment on making available to TRS centers SS7 technology. The Commission tentatively concluded that use of SS7 will render provision of relay service more functionally equivalent to service provided to voice users.⁹

The FNPRM also states a number of desirable features that might be provided if TRS centers had access to SS7, such as provision of Caller ID, improved access to 911, and elimination of the

⁹FNPRM at ¶128.

need to collect some of the information collected manually today.¹⁰ The FNPRM tentatively concludes that access to SS7 will resolve problems described by several commentators between relay and Caller ID service.¹¹

USTA believes that the Commission must refocus its inquiry on whether SS7 network access by TRS centers would solve the problems it has identified. In that regard, USTA believes that more attention should be paid to whether access to SS7 is even the best option to deal with the perceived problems; and, whether it is reasonable to assume that the TRS centers would, or could, commit to existing SS7 networks where that access is available.

USTA does not take a position as to whether the Commission has jurisdiction to allow relay centers to deploy SS7¹² and whether relay centers should have access to SS7 data¹³ since that appears to be an inquiry that is premature. USTA reserves the right to comment on such matters at a later juncture.

USTA has no direct knowledge about the technical characteristics of any TRS center, but believes that the various TRS centers operate differently, i.e., any common prescription for any particular set of conditions will probably not respond to the needs of all centers. As a general matter and in response to the FNPRM,¹⁴ SS7 likely entails significant costs for the centers and would take

¹⁰*FNPRM* at ¶ 127.

¹¹*FNPRM* at ¶ 129.

¹²*FNPRM* at ¶ 127.

¹³*FNPRM* at ¶ 129.

¹⁴*FNPRM* at ¶ 133.

considerable time for the centers to be prepared to accept such access.¹⁵

TRS centers are generally connected to tandem switches in the network and do not have direct links to individual end offices. Telephone company traffic is routed to the tandems, and outgoing messages from the centers to customers are routed to telephone company switches via the tandem switches. In some cases, tandem switches connected to the TRS centers are dedicated to traffic destined to and from the centers. In many cases, smaller telephone company end offices are not equipped with SS7, and so they employ Multi-Frequency signaling over the trunking to and from the tandem switches that they subtend. An FCC rule or private party agreement that enables SS7 access between TRS centers and their tandems to upgrade to SS7 capability should not be used as a reason to compel conversion of each subtending end office to SS7. In some cases, a requirement to upgrade an end office to SS7 would be tantamount to requiring a replacement. If the lack of SS7 connectivity between a tandem and its subtending end offices is seen as a detriment to the provision of service to members of the disabled community, these same deficiencies will also be experienced by persons without disabilities served by the same end office. Replacement or upgrades to switches in order to provide SS7 access can not be required based on a perception of discrimination that in fact does not exist between disabled and non-disabled customers services out of the same end office.

USTA believes that there may be other options available to assist in resolving the issues presented in the FNPRM. One option may be extending use of ISDN facilities to TRS centers. USTA believes that the TRS centers and their serving carriers should have the flexibility to

¹⁵Certainly, local exchange carriers should not be required to incur any costs associated with making SS7 access available if it is not clearly demonstrated that TRS centers are ready and willing to accept such access.

determine the best options available in any given situation to accomplish the Commission's goal of broadening the set of services available to disabled customers. Accordingly, USTA opposes the notion that SS7 connectivity to TRS centers ought to be mandated in the context presented in the FNPRM; and, recommends that the Commission leave this decision to the states that have the requisite FCC TRS certification, acting in consultation with local exchange carriers.

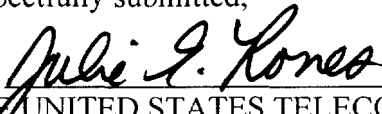
C. Impaired and Non-impaired Users have Equivalent Service Provision With or Without SS7 End Office Deployment.

USTA notes that not all carriers employ SS7 technology in their local network to connect end offices to tandems. Because some carriers employ SS7 and others do not, it can not be assumed that access to existing SS7 networks will provide functional equivalence to all disabled customers of all LECs since its benefits are also not available to non-disabled customers. USTA, presumes that it is the Commission's intention to have SS7 available to disabled customers in those communities where it is made available to non-disabled customers.

II. CONCLUSION

USTA urges the Commission to consider the concerns and matters raised by USTA in these comments.

Respectfully submitted,

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May 5, 2000

CERTIFICATE OF SERVICE

I, Meena Joshi, do certify that on May 5, 2000, Comments Of The United States Telecom Association Regarding the Further Notice of Proposed Rulemaking was either hand-delivered, or deposited in the U.S. Mail, first-class, postage prepaid to the persons on the attached service list.



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